

ESSB 5978 - H AMD TO WAYS COMM AMD (H-4692.1/12) **1359**

By Representative Wilcox

FAILED 03/08/2012

1 On page 6, line 20 of the striking amendment, after "any" strike
2 "qui tam relator or other"

3
4 On page 7, beginning on line 3 of the striking amendment, strike
5 all of subsections (13) and (14)

6
7 On page 8, beginning on line 34 of the striking amendment, strike
8 all of sections 205 through 208 and insert the following:

9 "NEW SECTION. **Sec. 205.** Any person who is the original source of
10 the information used by the attorney general to bring an action under
11 section 202 of this act shall receive seventeen percent of any
12 recovery by the attorney general in the action. As used in this
13 section, "original source of information" means information no part of
14 which has been previously disclosed to or known by the government or
15 public. If the court finds that the person who was the original
16 source of the information used by the attorney general to bring an
17 action under section 202 of this act planned, initiated, or
18 participated in the conduct upon which the action is brought, such
19 person shall not be entitled to any percentage of the recovery
20 obtained in such action."

21
22 Renumber the remaining sections consecutively and correct internal
23 references accordingly.

24
25 On page 14, line 7 of the striking amendment, after "204" strike
26 "or 205"

27

1 On page 14, line 9 of the striking amendment, after "204" strike
2 "or 205"

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4 On page 14, beginning on line 12 of the striking amendment, strike
5 all of subsection (3)

6
7 Renumber the remaining subsections consecutively and correct
8 internal references accordingly.

9
10 On page 14, line 18 of the striking amendment, after "204" strike
11 "or 205"

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13 On page 14, line 27 of the striking amendment, after "204" strike
14 "or 205"

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16 On page 14, line 29 of the striking amendment, after "204" strike
17 "or 205"

18
19 On page 15, line 4 of the striking amendment, after "204" strike
20 "or 205"

21
22 On page 15, beginning on line 5 of the striking amendment, strike
23 all of subsection (3)

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25 On page 15, beginning on line 22 of the striking amendment, after
26 "this act" strike all material through "this act" on line 23

27
28 On page 16, beginning on line 2 of the striking amendment, after
29 "served." strike all material through "investigation." on line 6

30
31 On page 26, beginning on line 30 of the striking amendment, strike
32 all of section 213

33
34

1 Renumber the remaining sections consecutively and correct internal
2 references accordingly.
3

EFFECT: Removes provisions of the bill authorizing qui tam actions to be brought by private individuals on behalf of the state and other provisions related to qui tam actions. Provides that a person who is the original source of information used by the Attorney General to bring an action under the Medicaid Fraud False Claims Act is entitled to receive 17 percent of any recovery by the Attorney General in the action.

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